Attorneys for Animals

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October 25, 2017

Representative Brandt Iden
Chair, Regulatory Reform Committee
Michigan House of Representatives

Hand Delivered; and via email to Committee Clerk, ianmays@house.mi.gov

Re: Support for HB 4813, House Regulatory Reform Committee Meeting, October 25, 2017

Dear Representative Iden and Committee Members,

Thank you for the opportunity to provide information to the committee. Attorneys for Animals, Inc. (AFA) is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. The organization's Board of Directors voted to **support HB 4813.** We also recommend clarification language.

HB 4813 amends that portion of the Public Health Code regulating drugs used in euthanizing animals. One of the most important and consequential actions we humans take in our relationships with animals is the decision to end their lives. This bill therefore is deserving of careful attention and review, to ensure that it improves the process when animals are euthanized and ensures that it is done in the most humane and respectful way possible. We believe this bill accomplishes these goals, and we support it.

The bill re-organizes and refines the regulatory scheme for euthanizing "injured, sick, homeless, or unwanted domestic pets and other animals" ("domestic pets"), distinguishing between Class B dealers on the one hand (page 4, lines 23-34), and animal control and protection shelters ("shelters") on the other (page 7, lines 13-14); and distinguishing between animal control shelters and animal protection shelters with regard to euthanizing "an animal running at large that is dangerous or difficult to capture" (page 11, lines 14-15). Only shelters may prescribe an animal tranquilizer for domestic pets. Only animal control shelters may prescribe the tranquilizer for animals running at large.

Significantly, the bill enhances and strengthens conditions for use of these drugs and sets forth the following training requirements:

- Increases training from the current 8 hours to 16 hours (although providing for a phase-in period so that current licensees do not have to comply until January 1, 2022)

- Must be given by a licensed veterinarian, a new requirement
- Programs must receive approval of the State Veterinarian, a new requirement
- Programs must comply with the American Veterinary Medical Association's euthanasia guidelines, a new requirement

In addition, licensees are subject to more robust regulation:
- Class B dealers must make records available for inspection not only to state regulators (Michigan Department of Agriculture and Rural Development and Department of Licensing and Regulatory Affairs), but also to the United States Department of Agriculture, a new requirement
- Animal control and protection shelters must make records available to both MDARD and LARA, new requirements
- All licensees must comply with "all state and federal laws and regulations regarding the acquisition, use and security of controlled substances", a new requirement

Finally, the bill more narrowly defines which non-domestic animals may be tranquilized to sedate or immobilize them (page 11, lines 12-15). It omits from the definition "feral" and "wild" animals. This change better defines those animals who either pose a danger to others or to themselves.

It is the intent of the bill to provide uniform training to all licensees. As a result, while Class B dealers may only acquire sodium pentobarbital (page 4, line 22), they receive essentially the same training as animal control and protection shelter licensees, who may also acquire animal tranquilizers (page 7, lines 11, 12). We recommend adding language to clarify that the reason Class B dealers receive training on this additional controlled substance which they may not obtain, is to provide uniform training for all licensees.

We support the safeguards and controls added by HB 4413.

Very Truly Yours,

Beatrice M. Friedlander

Beatrice M. Friedlander, JD
President